

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
CALEB S. HERNANDEZ, :
:
Plaintiff, :
: 22-CV-6964 (VSB)
-against- :
: **ORDER**
:
LARRY MILLER, et al., :
:
Defendants. :
:
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VERNON S. BRODERICK, United States District Judge:

I held a hearing on Plaintiff's motion for emergency injunctive relief on September 28, 2022. Pursuant to my instructions at that hearing, it is hereby:

ORDERED that, for the reasons stated on the record, Plaintiff's motion for emergency injunctive relief, (Doc. 26), is DENIED.

IT IS FURTHER ORDERED that, on or before October 7, 2022, the parties meet and confer and submit a joint letter indicating whether Plaintiff intends to seek leave to file a second amended complaint and, relatedly, the parties' proposed schedule for Plaintiff's opposition to Defendant Eisbrenner's motion to dismiss, and any reply. (Doc. 16.) To the extent Plaintiff intends to seek leave to file a second amended complaint, the parties are ordered to meet and confer concerning the content of such a complaint so that Defendants can make an informed decision concerning whether they will oppose that request, and, if so, jointly propose a schedule for the briefing on that issue. If Plaintiff intends to seek leave to amend the complaint, he is ordered to attach a copy of the proposed amended complaint to his motion seeking leave to file a second amended complaint.

IT IS FURTHER ORDERED that any decision on Defendant Eisbrenner's motion for limited discovery, (Doc. 27), will be held in abeyance until the previous issue is resolved.

IT IS FURTHER ORDERED that all deadlines in connection with Plaintiff's first amended complaint, (Doc. 25), are adjourned *sine die*.

SO ORDERED.

Dated: September 29, 2022
New York, New York



Vernon S. Broderick
United States District Judge